

Serial No. 10/064,473

REMARKS

Reconsideration of this application as amended is requested.

Claims 1-5 and 11-13 have been canceled.

Examiner stated that claim 13 was allowable if rewritten in independent form to include all limitations of the base claim and any intervening claims. Claim 6, the base claim of claim 13, has been amended to recite all the limitations of claim 13 and any intervening claims. Therefore, claim 6 as amended is believed to be allowable.

Claims 1-5 were rejected under 35 U.S.C. 102(b) as being anticipated by Rafac, U.S. Patent 5,269,196. Claims 1-5 have been canceled.

Claims 6-12 and 15 were rejected under 35 U.S.C. 102(b) as being anticipated by Rafac, U.S. Patent 5,269,196. As noted above, the examiner stated that claim 13 was allowable if rewritten to include all limitations of base claim and any intervening claims. Claim 6, the base claim of 13, has been amended to include all the limitations of claim 13 and any intervening claims. Accordingly, claim 6 as amended is believed to be allowable over the cited prior art.

Claims 7-10 and 15 were rejected, as claim 6, under 35 U.S.C. 102(b). Since claims 7-10 and 15 depend directly or indirectly from and contain all limitations of claim 6, they are felt to overcome the 102 rejection in the same manner as claim 6.

Claims 6, 10-12 and 14-16 were rejected under 35 U.S.C. 102(b) as being anticipated by Pullin, GB Patent 301,636. For the reasons stated above, claim 6 as amended is believed to be allowable over the cited prior art. Claims 11 and 12 have been canceled. Claims 10, and 14-16 were rejected, as claim 6, under U.S.C. 102(b). Since

Serial No. 10/064,473

claims 10 and 14-16 depend directly or indirectly from and contain all limitations of claim 6, they are felt to overcome the 102 rejection in the same manner of claim 6.

Claims 18-22 have been added. Claim 18 recites an integral rider control device comprising a one-piece integral support structure including a central section having an upper spar and a lower spar, the upper spar disposed vertically relative to the lower spar and a connecting member molded into the lower spar. Applicant believes that claim 18 is allowable over the cited prior art. Since claims 19-22 depend from and contain all limitations of claim 18, they are felt to be allowable in the same manner as claim 18.

Regarding Examiner's comments in the first paragraph of the detailed action, Applicant notes that claims 6-10 and 14-22 are product claims and that limitations such as "molded into," "formed by injection molding," or "inserted-molded into" are used as adjectives to describe physical characteristics of the product that do not change the character of the claim into a product-by-process claim. These words are limitations on the structure of the invention, not words descriptive of a process. See e.g., In re Garnero, 412 F.2d 276, 162 U.S.P.Q. 221 (C.C.P.A. 1969) (holding "interbonded by interfusion" to limit structure of the claimed composite and noting that terms such as "welded," "intermixed," "ground in place," "press fitted," and "etched" are capable of construction as structural limitations.) Accordingly, the limitations "molded into," "formed by injection molding," or "inserted-molded into" are structural limitations that should be given patentable weight.

This amendment is believed to be fully responsive to the comments and suggestions of Examiner and to place this application in condition for allowance. Favorable action is requested.

Serial No. 10/064,473

Respectfully submitted,
JACQUES P. GREETIS

Lisa J. Wunderlich

Lisa J. Wunderlich, Attorney
Registration No. 40,307
SRAM Corporation
1333 N. Kingsbury, 4th Floor
Chicago, IL 60622
(312) 664-8800 ext. 1393